

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,

-against-

**NOTICE OF MOTION**

S-3 05 Cr 1262 (DLC)

YESID REMIGIO VARGAS-CUENCA, et al.,

Defendant.  
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PLEASE TAKE NOTICE, that upon the annexed affidavit of JOYCE C.

LONDON, Esq., executed on November 6, 2007, the affidavit of Jaime Enrique Romero-Padilla, the accompanying Memorandum of Law, the Indictment and all prior proceedings and pleadings had herein, the defendant, Jaime Romero-Padilla by his attorney, JOYCE C. LONDON, Esq., will move this United States District Court for the Southern District of New York before the Honorable Denise L. Cote, November 8, 2007 at 11:00 a.m. at the United States District Courthouse, Southern District of New York, 500 Pearl Street, New York , New York 10007 for the following relief:

1. An order pursuant to Rule 12 (b)(3)© of the Federal rules of Criminal Procedure suppressing a post-arrest statement made by defendant Romero-Padilla to law enforcement agents on the grounds that he was not advised of his *Miranda* rights;
2. An order permitting defendant Romero-Padilla to join in motions submitted by his co-defendants to the extent that they are not inconsistent with the motions submitted herein;
8. An order permitting defendant Romero-Padilla to make such other and further motions as may be appropriate and necessary; and

9. For such other and further relief which this Court may deem just and proper.

Dated: New York, New York.  
November 6, 2007

Yours etc.,

JOYCE C. LONDON  
Attorney for Defendant  
JAIME ROMERO-PADILLA  
20 Vesey Street, Suite 400  
New York, New York 10007  
Tel: (212) 964-3700

To: Clerk of the Court  
United States District Court  
Southern District of New York  
500 Pearl Street  
New York, NY 10007

Honorable Denise L. Cote  
United States District Judge  
Southern District of New York  
500 Pearl Street  
New York, NY 10007

Marc Berger, Esq.  
Assistant United States Attorney  
Southern District of New York  
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